

# GOVERNMENT OF KERALA

# Labour and Rehabilitation (B) Department

#### NOTIFICATIONS

G. O. (Rt.) No. 2788/2007/LBR.

Dated, Thirseemanthopseam, 13th September 2007.

- S. R. O. No. 1032/2007. In exercise of the power conferred by section 87 of the Employees State Immunes. Act, 1948 (General Act 34 of 1968), read with Section 91-A thereof, the Government of Kerala in consultation with the Employee's State Insurance Corporation hereby exempt Irinaus Vanitha Garment, Industrial Co-operative Society Limited No. S. IND(C) 213, Irinaves P. O., Pin-670 301, Kannar District from the operation of the provisions of the said Act for a period of one year from 1st November, 2004 to 31st October, 2005 subject to the following conditions, namely:—
- (I) The Society shall maintain a register showing the sames and designations of its employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said. Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contribution for the exempted period if already paid, shall not be refunded;
- (4) The Society shall submit in respect of the period thring which it was subject to the operation of the said Acc (hereinafter referred to as the said period), such returns in such form and containing such particular; as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

G. 998/2007/G.

- (5) Any Inspector appointed by the Corporation under sub-excition (1) of Section 45 of the said Act, or other official of the Corporation authorized in this behalf thall for the purpose of—
- (I) verifying the particulars contained in any return submitted under sub-section (I) of section 40 of the said Act; or
- (ii) escentaining whether registers and records were maintained as required by the Employeet State Interance (General) Regulations, 1950 for the said period; or
- (iii) astertuining whether the employers continue to be excitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notification; or
- (iv) accommining whether any of the provisions of the said. As had been complied with during the period when such provisions were in force in relation to the said society be empowered to—
  - (a) require the society to formish to him such information as he may comider necessary; or
  - (b) eater my fictory, establishments, office or other premises occupied by the a id acciery at any reasonable time and require may person found in charge thereof to produce to such Impector or other official and allow him to examine such documents, books and other documents, relating to the imployment or pressure and payment of wages or to furnish to him ageh information as he may consider necessary; or
  - (c) examine the officers of the society servants of the said entablishment or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or
  - (d) make copies of or take estracts from any register; second looks or other do ment maintained in such society, office or other precises of the said poriety.

By order of the Governor,

G. Monanan,
Additional Secretary to Government.

#### Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

The President, Islame Vanitha Garmons Industrial Co-operative Society Limited No. S. IND (C) 213, Islame P. O., Pin-670 301, Kanaur District has requested the Government to exempt the society from the provisions of the Employees State Insurance Act, 1998 for the period from 1st November, 2003 to 31st October, 2005.

In consultation with the Region I Director, Employees' State Insurance Corporation, Theiroux, Government have decided to exempt the said society from the provisions of said Act for a period of one year from lat November, 2001 to Stat October, 2005.

This application is let us led to newless the above purpose.

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- **5.R.O.** No.1033/2007. —In exercise of the powers conferred by section 87 of the Employees State insurance Act, 1943 (Gentral Act 3) of 1948), read with section 91-A thereof, the Government of Kerala in consultation with the Employees' State Insurance Corporation hereby exempt Irinave Vanitha Gurments Industrial Co-operative Society Limited No. S. 1ND (C) 213, Trinave P.O., Pin-670 301, Kannur District from the operation of the provisions of the said. Act for a period of one year from 1st November, 2015 to 31st March, 2006 subject to the following conditions, namely:—
- (1) The society shall maintain a register showing the names and designations of its muployees;
- (2) Notwithstanding this exemption, the employees shall essentiate to receive such benefits under the said. Act to which they might have become entitled to on the basis of the eventibutions paid prior to the dose from which exemption granted by this notification operator;
- (3) The contribution for the exempted period if abready paid, shall not be refunded;
- (4) The society shall submit in respect of the period during which it was subject to the operation of the said Act (hereinafter referred to at the said period), such returns in such form and containing such particulars as were due from it. In respect of the said period under the Employees, State Insurance (General) Regulations, 1950;
- (5) Any Impector appointed by the Corporation under sub-section (1) of section 40 of the said Act, or other official of the Corporation authorised in this behalf shall for the purpose of—

- (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 of the said Act; or
- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950, for the said period; or
- (iti) ascertaining whether the employees continue to be ensitted to the benefits provided by the employer in each and kind being benefits in considerations of which exemption is being granted under this notification; or
- (iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said society be suppowered to—
  - (a) require the society to furnish to him such information as be may consider necessary; or
  - (b) enter any factory, establishment, office or other premises occupied by the said society at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine such documents, books and other documents, relating to the employment or persons and payment of wages or to furnish to him such information as he may consider necessary; or
  - (c) examine the officer of the society servants of the said establishment or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
  - (d) make copies of or take extracts from any register, account books or other documents maintained in such society, office or other premises of the said society.

By order of the Governor,

G. Monanan,
Additional Secretary, to Government.

## Explanatory Nore

(This does not form part of the notification but is intended to indicate its general purport.)

The President, Irlnave Vanitha Garmona Industrial Co-operative Society Limited No. S. IND (C) 213, Irinave P. Q., Pin-670 301, Kannur District has requested the Government to exempt the society from the provisions of the Employees State Insurance Act, 1918 for the period from 1st November, 2004 to 31st October, 2005.

In consultation with the Regional Director, Employees' State Insurance Corporation, Thriston, Government have decided to exempt the said society from the provisions of said Art for a period of one year from 1st November, 2003 to 35st October, 2005.

This notification it intailed to achieve the above purpose.